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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,727	09/05/2006	Jianbing Huang	90059JLT	3151
1333 7590 07/21/2008 EASTMAN KODAK COMPANY PATENT LEGAL STAFF 343 STATE STREET ROCHESTER, NY 14650-2201			EXAMINER ROBINSON, CHANCEITY N	
			ART UNIT	PAPER NUMBER
			1795	
			MAIL DATE	DELIVERY MODE
			07/21/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/591,727

Applicant(s)

HUANG ET AL.

Examiner

CHANCEITY N. ROBINSON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The Applicant's request for reconsideration filed on June 16, 2008 was received. Claims 16 and 22 were amended.
2. The text of those sections of Title 35, U.S.C. code not included in this action can be found in the prior Office Action issued on March 21, 2008.

Claim Rejections - 35 USC § 102

3. The claim rejections under 35 U.S.C. 102(b) as anticipated by Fujita et al. (US 2003/0207202 A1) on claims 16-22 are maintained. The rejection is repeated below for convenience.

Regarding claims 16-20, Fujita et al. disclose a method for a lithographic printing plate imagewise exposed to light and then developed. See paragraph 0224. Further, Fujita et al. disclose a developer (solution) comprising of sodium hydroxide and potassium hydroxide (alkali hydroxides) and alkaline agents such as tri-sodium phosphate, tri-potassium phosphate, sodium carbonate and potassium carbonate (stabilizer) so the pH falls within a range of 9.0 to 13.5. See paragraph 0231. In addition, Fujita et al. disclose a developer comprising an alkali metal silicate. See paragraph 0246. Fujita et al. disclose the developer can further comprise of a variety of surfactants and/or organic solvents, preservatives, coloring agent, thickening agent, anti-foaming agents and water softeners. See paragraphs 0234 and 0244. Additionally, Fujita et al. disclose the printing plate been treated with the developer (developer composition) is then

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subject to post-treatments of washing (rinsing) water. See paragraph 0248. Also, Fujita et al. disclose a developer comprise of development stabilizers such as polyethylene glycol, anionic or amphoteric surfactants which may be added to the developer in an amount ranging from 0.001 to 10 % weight. See paragraphs 0236-0237.

Regarding claim 21, Fujita et al. disclose the light-sensitive (radiation-sensitive coating) resin composition comprises of a variety of additives such as octylphenolformaldehyde resin and novolak resin (phenolic resin). See paragraph 0197.

Regarding claim 22, Fujita et al. disclose Fujita et al. disclose a method for a lithographic printing plate imagewise exposed to light and then developed. See paragraph 0224. Further, Fujita et al. disclose a developer (solution) comprising of sodium hydroxide and potassium hydroxide (alkali hydroxides) and alkaline agents such as tri-sodium phosphate, tri-potassium phosphate, sodium carbonate and potassium carbonate (stabilizer) so the pH falls within a range of 9.0 to 13.5. See paragraph 0231. In addition, Fujita et al. disclose a developer comprising an alkali metal silicate. See paragraph 0246. Fujita et al. disclose the developer can further comprise of a variety of surfactants and/or organic solvents, preservatives, coloring agent, thickening agent, anti-foaming agents and water softeners. See paragraphs 0234 and 0244. Additionally, Fujita et al. disclose the printing plate been treated with the developer (developer composition) is then subject to post-treatments of washing (rinsing) water. See paragraph 0248. Also, Fujita et al. disclose a developer comprise of development stabilizers such as polyethylene glycol, anionic or amphoteric surfactants which may be added to the developer in an amount ranging from 0.001 to 10 % weight. See paragraphs 0236-0237.

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4. The claim rejections under 35 U.S.C. 102(e) as anticipated by Patel et al. (US 2004/0110090 A1) on claims 16 and 19-22 are maintained. The rejection is repeated below for convenience.

Regarding claim 16, Patel et al. disclose a process for imagining an developing imageable elements (printing plate precursor) comprising a developer (alkaline developer) with a mixture of an aqueous alkaline developer that has a pH greater than 11 and contains alkali metal silicate and a solvent based developer that contains about 0.5 wt % to 15 wt % of an organic solvent or mixture of organic solvent (stabilizer with an amount of carbonate anion). See abstract and paragraphs 0079 and 0081. Further, Patel et al disclose optional components may be used such as anionic, nonionic and amphoteric surfactants, biocides, anti-foaming agents and thickening agents. See paragraph 0083. In addition, Patel et al. disclose the developer is applied (contacted) to the imaged precursor and may be rinsed with water. See paragraph 0086.

Regarding claims 19-20, Patel et al. disclose the developer comprises of about 5 wt % of the organic solvent (carbonate anion), the alkaline developer has a pH between about 12 and about 14 and comprises of 4 wt % to 6.5 wt % of the alkali metal silicate. See claim 10.

Regarding claim 21, Patel et al. disclose a phenolic resin (polymeric material) in the coating of the printing plate precursor. See paragraph 0034 and 0056.

Regarding claim 22, Patel et al. disclose a process for imagining an developing imageable elements (printing plate precursor) comprising a developer (alkaline developer) with a mixture of an aqueous alkaline developer that has a pH greater than 11 and contains alkali metal silicate and a solvent based developer that contains about 0.5 wt % to 15 wt % of an organic solvent or mixture of organic solvent (stabilizer with an amount of carbonate anion). See abstract and

paragraphs 0021-0022. Further, Patel et al disclose optional components may be used such as anionic, nonionic and amphoteric surfactants, biocides, anti-foaming agents and thickening agents. See paragraph 0083. In addition, Patel et al. disclose the developer is applied (contacted) to the imaged precursor and may be rinsed with water. See paragraph 0086.

Response to Amendment

Claim Rejections - 35 USC § 112

5. The claim rejections under 35 U.S.C. 112, second paragraph, on claims 16-22 are withdrawn, because the independent claims 16 and 22 have been amended.

Response to Arguments

6. Applicant's arguments filed June 16, 2008 have been fully considered but they are not persuasive.

Applicant's principal arguments are

(a) Fujita et al. and Patel et al. fail to teach the addition of a carbonate stabilizer to the already-formed high pH silicate-containing solution.

In response to Applicant's arguments, please consider the following comments:

- (a) Examiner notes that Applicant does not claim any sequence, therefore Fujita et al. and Patel et al. anticipated the present application as claimed.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHANCEITY N. ROBINSON whose telephone number is (571)270-3786. The examiner can normally be reached on Monday to Thursday: 7:30 am-5:30 pm eastern time. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on (571)272-1526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chanceity N Robinson/
Examiner, Art Unit 1795

/Cynthia H Kelly/
Supervisory Patent Examiner, Art Unit 1795